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NAHDLATUL ULAMA *and* Transformation of Indonesian ISLAM



WOMEN'S DISCOURSE IN NAHDLATUL ULAMA SOCIETY: Debate for a New Form*

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It is very interesting to see that despite women not having reached high profile in the Islamic world, that there are many issues about women like their positions, roles, activities and identities which have become controversial and emotional issues. Why? A Turkey sociology expert Deniz Kandiyoti says that women's positions are contested in many Islamic states. For it is indeed that women are considered symbols of national identity and cultural purity. (Kandiyoti, 1992).¹ In the same opinion, a sociology

expert from Turkey Nilofer Gole said: "Much more than anything else, outlooks regarding the social position of women lie at the centre of debates. For it is indeed the attitudes about the position of women should occupy in society that set the course of action a society can take and that mark the limits of modernization in Moslem society."² The women-focused issues like family, decline, and purity which had been considered as social identity in transitional society, or in this case Islamic society facing modernization and western culture, are very

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¹ Deniz Kandiyoti, "Women, Islam and the State: A Comparative Approach" in *Comparing Muslim Societies: Knowledge and State in a World Civilization*, ed. Juan Cole. (Ann Arbor: University of Michigan Press, 1992).

² Nilüfer Gole, *The Forbidden Modern: Civilization and Veiling*, (University Michigan Press, 1996), p. 29

contested issues. In the Islamic world, women's discourse becomes a site of contestation, especially with the *jilbab* or veiling issues in many Islamic states. In the name of "secularism", some states like Turkey, Egypt, Iran, and Indonesia have at some point forbidden using the veil. In the same time, Saudi, Iraq, and Iran have obligated women to use the veil as their consequences of obeying Islam. The examples above show us how women's bodies are used as symbols to apply "credentials" of Islam and sometimes to hush potential politic of Islam up. So, marriage issues and family ones have been "battle field" between governance and *ulama*. Eickelman and Piscatori said that Moslem family is like microcosm of desired social order³ and the desire to control social order is main source of conflict between state and Islam. In Indonesia the conflict we can see when the marriage constitution 1974 had been made. Many *ulama* who have never conflicted with the state went out of their pesantrens for sake in criticizing the constitution.⁴

When the women are seen as symbol of identity, keepers of religious purification and nationalism and when the contestation of women discourse is manifestation of an effort to facing modernism

and consistence in traditional principles, it is not surprising if those issues are discussed in NU society. Both domestic and international experts categorized NU as traditionalist in comparison with modernist, a debatable dichotomy but actually has real application in Indonesia. But, after Abdurrahman has lead PBNU since 1980s, there were many changes in NU including an effort to reinterpret *ahlussunnah wal jamaah* (Aswaja) that general secretary of NU Kiyai Said Agil Siraj has motorized.⁵ One of the considerations of the reinterpretations is its implication to the women. What we call as 'traditionalism' actually is an orthodoxy which established roles and attitudes to limit the women. As *Tashwirul Afkar* wrote: "it is very clearly that Islam even *fiqh* of *Ahlussunnah Wal Jama'ah* have ignored the women rights."⁶ For sake in reinterpreting the concept of *Aswaja* and reformatting NU's thoughts, we can study the energetic contestation of women discourse. To learn deeply the contestation (struggle) of the women discourse in NU, we will analysis three levels or categories, there are; structure. culture and *fiqh*.

The Women in NU's Structure

Structurally, NU has distinguished between men and women. In high struc-

³ Dale F. Eicklemen and James Piscatori, *Muslim Politics*, (Princeton University Press, 1996), p. 83

⁴ Daniel S. Lev, "On The Other Hand" in *Fantatizing the Feminism in Indonesia*. Ed. Laurie Sears. Durham: Duke University Press, 1996), p. 192. See also, Suryakusuma, Yulia, "The State and Sexuality in New Order Indonesia," in *Fantasizing the Feminine in Indonesia*. Ed. Laurie Sears, (Durham: Duke University Press, 1996), p. 104.

⁵ Look in first edition of *Tashwirul Afkar*.

⁶ *Tashwirul Afkar*, May-June 1997, p. 11

ture of NU, PBNNU as the center organization and administrative in NU which consist of *Tanfidziyah* (Executive Council) and *Syuriyah* (Supreme Council), for instance there is no women anymore. Historically, mothers have been active in NU for a long time but the status of their positions and roles, organizationally, still needs a long time. For example, although NU was founded in 1926, Muslimat was founded in 1946 or in 16th of NU congress as part of NU institutionally. And in 1949 Muslimat has succeed to not be separated by screen in formal meeting of NU. In the same time, NU decided that Muslimat can be promoted as member of Indonesian legislative Assembly and constituent.⁷ Basically, NU is used to use "segregation" not "integration" to incorporate the women where the women are not incorporated in intern of organization, but incorporating them in the autonomous women institution. This way practices in many autonomous institutions. Most of women autonomous institutions of NU are founded after two or three years later after founding the men institutions. Young man Movement of NU (GP. Ansor) is founded in 1934 and the four years later Young Women of NU (Fatayat) in 1951 or in 18th of NU congress. The founding of union female student's NU (IPPNU) in 1955 is after founding union of male

student's NU (IPNU) in 1950. Mrs. Umrah Mahfuzah, one of IPPNU's founders said that the segregation between men and women in NU, organizationally, had many advantages. The women have the autonomous institutions to explore and develop their ability through participating in NU.⁸

But the women's organizations of NU differentiate more deeply between "domain" that is considered "compatible" for men and women. The structural difference has institutionalized a traditional role for women which focused on education, health, and other social activities. The activities are considered compatible for women nature because correlate with women image such as nurse, child educator, and baby sitter. But the main point when the mothers' NU active in social activities that characterized as women activities, they have played political roles. As we know in national working planning (Rakernas of Muslimat in June 25-29, 1998 in president palace and opened by president Habibbi, they were in disagreement with Gus Dur because they invited Adi Sasono who was in conflict with him as speaker.

Fatayat have been well-known in the health field and as holding apolitical attitudes, have begun to play political roles. They have used an educational approach in 1997. They began to empower women's

⁷ Baidlowi, Aisyah Hamid, 1993 "Profil Organisasi Wanita Islam: Studi Kasus Muslimat NU" in *Wanita Islam Indonesia Dalam Kajian Tekstual dan Kontekstual*. Eds. Lies Marcoes-Natsir and Johan Hendrik Meuleman, (Jakarta: INIS 1993), p. 86

⁸ interview, Nov 21, 1998

political consciousness taken from Islamic perspective, and also participate in founding the Consultative institute for women empowerment (LKP2) to consultative and inform the grass root society for sake in understanding women rights and empower them.

We have to realize that in structure, women are very limited to occupy any positions in PBNU both *Syuriyah* and *Tanfidziyah*. Why? The common answer is "the position is not for women. NU's women have occupied Muslimat and Fatayat and haven't occupied PBNU. The existence of Muslimat and Fatayat NU are an opportunity to develop NU's women's organization so NU does not need women representative in its board. However it's not the final process. Kiyai Agil Siraj said that there is no reason why women can't occupy *syuriyah* council. He promised to bring those possibilities in the future. "If *Bu Nyai* has capability enough, it is time for them to occupy *syuriyah* and *Tanfidziyah* position. Agil Siraj refers to Imam Hasan al-Basri (d.110 H), *fuqaha* (fiqh scholars) are not only from men but everybody that have acceptable ideas to be *fatwa* can be categorized as *ulama'* in spite of blind, slave or woman.⁹

One of the structural elements is decision or policy from the structural institution. In this case/context many people have appreciated the decision of national con-



gress of NU's scholars (Munas Alim Ulama) in NTB, the last November. For it is indeed, a) for first time women issues are considered more seriously, and b) women position that decided in national meeting is considered good for women. In national meeting's decision number 004 realized that it is important to reinterpret again the patriarchal culture and distorting of Islamic principles that are not compatible and cause image to humiliate women. The decision explained a different function between the men and the women based on natural sides. "Domestic role is an original women role, but women as member of society have public roles which must be played consistently. In other words, the women's roles in the state system are opened besides their natural ones." (Hasil-Hasil Munas 1997, p.59). This statement has supported NU's women to spread out their roles. Based on the decision, Fatayat has inspired to found LKP2 as actual project to follow the decision up.

⁹ Said Agil Siraj, "Pemberdayaan Hak-hak Perempuan: Perspektif Islam dalam Kerangka NU," the paper is presented in The Training for Empowerment women rights, PP. Fatayat NU, Ciganjur, May, 17-23, 1998, p. 6

(Pedoman Manajemen Fatayat, 1998, p.3)

Besides that, the *Munas* has decided the most important decisions that the women can occupy position of vice-president but not president.

Women in the System of Culture

The second field that must be analyzed to understand women's discourse in NU is the system of culture. The concept of culture is difficult concept academically. For it is indeed historically, "culture" is often to be used as a "soft" instrument to insult anybody or other states. But, we will use this concept because there are many women thinker of NU have still used this concept to articulate the gender discourse.

The concept of culture has explained a difference between textual Islamic teaching and cultural concept of teaching. The concept is basic articulation of the women discourse in NU's society. According to Dr. Musdah, one of fatayat leader argues the Islamic teaching about women must be understood based on Arabic culture in the prophet period where women, "are considered as heritage and media to satisfy lust."¹⁰ "A historical fact show us that before Islam comes, the women are treated as a contemptible thing, then Islam struggled to raise the position of women. Islam positioned the women in the same level (equal) with the men. To explain why Is-

lamic modern women are not treated in same position with men, Dr. Musdah also refers to the concept of culture. "After Islam had spread out to many traditions, Islam wasn't being acted as should be."¹¹ According to Dr. Musdah, in Indonesia, Javanese culture has much influenced to make the women image and finally cause the oppressed women?. "a daughter is often given eating more little than a son, and a daughter must drop out from her school early...must be married in spite of her age is still young. After she has married and as a wife or mother, she has still treated as a machine."¹²

Although Dr. Musdah has given a clear argument about women's position, but when Fatayat NU held gender training in March 1998 some members (members are from many district leaders of Fatayat) asked many questions about pure different between text and culture that in Islam also many injustice institutions for women, for instance a divorce right to men, heritage proportion that women got half from men, witness that two women are considered same with a man, and many Islamic teachings which forbid women occupy a leader position. In this training, and in the same events, young girls and mothers of NU have intern conflict in facing contradictory between the emancipation based on Islam and many Islamic teaching that injustice to women.

¹⁰ Musdah Mulia, "Gerakan Wanita Dalam Dimensi Agama," the paper is presented on "Seminar Nasional Keputrian" UIM, July 1997, p. 8

¹¹ Mulia, *Gerakan Wanita Dalam Dimensi Agama*, p.9.

¹² Mulia, *Gerakan Wanita Dalam Dimensi Agama*, p.4

Women in NU's *Fiqh*

Islamic teaching in this case is *fiqh*. Basically, NU as follower of *ahlussunnah wa al-jama'ah* follows four Sunnis orthodox schools; Hanafi, Maliki, Syafi'i and Hambali. But, practically, NU takes much Islamic teachings from Syafi'i school. NU is different to modernist Moslems that focused in referring to Al-Qur'an and Hadis and decries the authority of Islamic school. Martin Van Bruinnessen said, "modernist *ulamas* have promised to use rational method for some cases, but traditional *ulamas*, if it's possible, tended to uses textual *fiqhs* that earlier *ulamas* decided it."¹³ On the other hand, NU, that based on *pesantren* tradition that used to referring *kiyais* directly. For it is indeed, women's discourse in NU relates with *kiyai's* understanding to *fiqh*.

The contestation of women's discourse in NU focuses on whether reinterpretation of women's *fiqh* is needed or not. The most important examples is what Masdar F. Mas'udi and advocate team for reproduction rights of women like Lies Marcoes and Syafiq Hasyim in P3M (Perhimpunan Pengembangan Pesantren dan Masyarakat) have done. According to Masdar, 'Yellow books', (classic literature) that traditional *pesantrens* followed, has considered the women half of men. For

instance, parents must buy two goats for son and only one goat for daughter when they celebrate the birth of a child (*aqiqah*). Also in cases of accidental death for men, his family may prosecute the compensation 100 camels and if woman, her family just may prosecute the compensation 50 camels.¹⁴ According to Masdar and his colleagues the teachings are in contradiction with *shari'a* principles such as justice and equality among the human being both men and women. The principle can we find in An-Nahl: 97, "anybody does a good deeds both men and women and they believe in God, We will give them good lives." It is for indeed that this argument is compatible with many Moslem women activists both domestic and abroad that Islam has guided and struggle the women rights. But the concept of *fiqh* and interpretation from *ulamas*, that can call them as 'conservative', have harmed the women position in Islam. So, Masdar project is to reinterpret *fiqh's* concepts that bias.

Besides that Hj. Nuriyah Abdurrahman and her colleges have held a limited discussion to rereading 'Uquddullujain' a work of Syekh Muhammad Umar an-Nawawi. This book is about the relation of wife and husband which often be read in *pesantrens*. One of its teachings is women are made to service their husbands who possessive everything that women

¹³ Bruinnessen, Martin Van. 1994. *NU: Tradisi Relasi-relasi Kuasa, Pencarian Wacana Baru*, (Yogyakarta: LKiS, 1994), p. 212

¹⁴ Masdar Farid Mas'udi, *Islam dan Hak-hak Reproduksi Perempuan: Dialog Fiqh Pemberdayaan*. (Bandung: Mizan, 1997), p. 170

have. Look this statement : "If any wives looked do sullen in front of their husband, God will be angry to them until they smiled and their husband forgive them. If any wives go out from their homes without promising from the husband, the angel will be angry at them until they back to their homes. (*Uquddulujain*, p. 44). And according to Mrs. Nuriyah and her colleges including Kiyai Husain Muhammad from Pesantren Dar at-Tauhid Cirebon and Kiyai Aqil Siraj, those teachings aren't compatible with Indonesian social context and its culture in the present day. It is for indeed, they look for hadis and many Qur'anic verses that more compatible with reality and women roles in Indonesia.

According to Dr. Ahmad Satori Ismail, the reinterpretation of any *fiqh*'s teachings is promised, if it is still in produces of *istinbath ijthadi*. But, Islamic *shari'a* can't be changed.¹⁵ In other words, particular teachings of *fiqh* (*juz'iyah*), depends on place and time, or are assumed unclear texts (*zanny*) are can be reconstructed. Meanwhile any fundamental teachings which not depend on time and place (*qath'i*) can be reinterpreted.¹⁶ The main point is not this concept, but how to mark the limits between *qath'I* and *zanny*.

According to Kiyai Said Agil, the *qath'I* teachings are only 5 % of all Islamic teachings in Alqur'an and hadis. In the 5 %, Kyai Agiel Siraj categorized heritage and witness that portion of women is half of men.¹⁷ According to Masdar, two teachings above are still unclear (*zanny*), because they depend on place and time. "What Alqur'an explained in Al-Hujurat: 13, an-Nisa': 124, etc about equality between men and women in front of Allah is fundamental teachings (*qathiyah*). The position between men and women is not depended on their sex and many teachings like the heritage, witness, the right to marriage and divorce are contextual because depend on time and place. The teachings are particulars, not absolute and can be modified or not.¹⁸

The debate to women position in *fiqh* perspective has been central of common political discourse lately. Indonesian Moslem congress (KUII/Kongres Umat Islam Indonesia) proclaimed that president must be a man Moslem. And before the congress some *kiyais* had forbidden the women to be a president. (Jawa Pos, Nov 3, 1998).

According to Abdurrahman Wahid, the women can occupy a president position depended on constitution that arrange

¹⁵ Ahmad Satori Isma'il, "Fiqh Perempuan dan Feminisme," in *Membincang Feminisme: Diskursus Gender Perspektif Islam*, (Surabaya: Risalah Gusti, 1996), p. 149

¹⁶ Mas'udi, *Islam dan Hak-hak Reproduksi Perempuan*, p. 8

¹⁷ Said Agil Siraj, . 1998. "Pemberdayaan Hak-hak Perempuan: Perspektif Islam dalam Kerangka NU," the paper is presented in The Training for Empowerment women rights., PP. Fatayat NU, Ciganjur, May, 17-23, 1998, p.3

¹⁸ Mas'udi, *Islam dan Hak-hak Reproduksi Perempuan*, p. 51

political affairs and government not *fiqh*. According to him, woman presidency can't be arranged by *fiqh*. (Jawa Pos Nov 9, 1998). But, it is factually that the debate is taken from *fiqh*. One more again, it shows that *fiqh* is important for pesantren and NU. After KUII had proclaimed its statement, many comments especially from NU which ask even criticize the statement. The most clear of them is Kyai Agiel Siradj who expressed in press at November 9th, 1998. In his statement Kyai Agiel explored one by one the texts which was used by Ulama (some Moslem scholar) to forbid women as president – as the most popular one is Al-Nisa verse 34 – “Men leds women”, and Hadith of Imam Bukhari, “it will be unlucky if any one submit his affair to woman”. Kyai Agiel explained about how, according to his opinion that this verse and hadith is very contextual, and it can not be used to forbid women leadership universally (Media Indonesia, November 9th, 1998).

It was being clear, women position in *fiqih* and in whole Islamic doctrine will become “focus” of debate in around NU – even with some Kyai's statement that it will be done *ijtihad* to decide this problem. At the national meeting 1997 in



doc.Lakpesdam NU

Lombok, as told before, some Kyais NU has announced *fatwa* that a woman can occupy as vice president position. As Kyai Agiel has told, “it is a decision of some Kyais NU in Lombok. It means to be a president is just one step again. Now, I add that women can be a president,” (Jawa Pos, October 15th, 1998).

All these have expressed that women president issues are not only related to *fiqh* matters, but also influenced by politics interest, especially, by the NU's intimacy to PDI circle of Megawati. However, it seem that a tool for legitimating from both side of them, who debated, is *fiqih* and Islamic doctrine. It was an old story, mutually symbiotic relationship between religious doctrine and political interest, and exactly there is its political interest to positioning women in NU. But, for developing women discourse in NU, was the most important and should be outlined that women issues were being discussed, reflected, and debated by their Kyais, intellectuals, and elite leaders in the big family of NU.

Ironically, debate phenomenon about women discourse in society precisely happened in NU society – those who always labeled by the term of “sarungan” peoples (who wear sarong, traditional clothes), “traditionalist”, and “an old”. Even, according to Lies Marcoes, if we want to search about women discourse in Islam society, it should be searched in NU society – in “modernist” society such as Muhammadiyah, neo-Masyumi, and some else, was very difficult to find discuss about women role and position such this.

Probably, the one key to understand

this “contradiction” can be found in the article of Mahrus Irsyam, senior lector and researcher at FISIP UI. According to Prof. Irsyam, NU is an Islamic community which warmly accepts modernization because modernization was regarded as a tool which can assist NU to seek purpose. “Even this modernization accepting with any requirements was justified by *fiqih* (Islamic laws)”. (Duta Masyarakat, Nopember 10th, 1998, p.4). Prof. Irsyam gave an example argument (which was motored by Kyai Achmad Siddiq) that Pancasila can be accepted as the one basis principle was used *fiqih* laws justification.¹⁹ With this explanation, it was not surprising that a) women’s discourse exists strongly in NU society, and b) this discourse was debated (from the pro’s side and the contrary side) from *fiqih* side. We also recognized that NU, tradition, and its culture, has its weak-

nesses. But one of its powerful aspects is the ability, which has been tested and proved a long history, to permit reformation, without releasing the strong traditions from an old period, and judging whether an aspect from reformation should be accepted and an aspect from reformation should be denied. Further, Mahrus Irsyam explained, “besides that this society also has a filter for modernization mainstream, as consequence they could choose whether the good one from modernization mainstream and the bad one.”. It is indeed, this ability to act, is the sign of deep power – only with power and resolution, that the root of the tree can endure from strong wind from outside. Hopefully, this power will give NU women a chance to choose where modernization mainstream will be accepted, and where traditional principle will be strengthened. ❖

¹⁹ Kyai Ahmad Shidiq’s arguments was being developed in two works that was being discussed in National Conference of NU 1983, *Khittah Nahdiah* and *Pemulihhan Khittah Nahdatul Ulama’ 1926*. A analysis for the two works are written by Mitsuo Nakamura, “NU’s Leadership Crisis and Search for Identity in the early 1980s” in *Nahdatul Ulama, Traditional Islam and Modernity in Indonesia*, eds. Greg Fearly and Greg Barton.

The various steps Islam has taken through the Indonesian nation's history are characterized by the proselytizing of religiosity, society, economy and politics. Therefore, Islam in Indonesia will always be linked to the wider social, economic, and political aspects that face the Indonesian nation. With so many variants, Islamic groups in Indonesia compete for social positioning, social-capital, authority, and social-legitimacy. No wonder, historically, the Islamic movement in Indonesia has never been in agreement as a religious, social, economic, and political power. Indonesian Islam diversified in ways that were influenced by history and social-political conditions in global, national, and local settings. The growth of Indonesian Islam in this frame produced diversity in thought, perspective, faith, attitude, and platform.

